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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,639	07/19/2006	Atsushi Matsutani	292764US8PCT	5943

22850 7590 07/08/2011  
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER
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HARVEY, DAVID E

ART UNIT	PAPER NUMBER
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2481

NOTIFICATION DATE	DELIVERY MODE
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07/08/2011

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
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**1. With respect to claim 10:**

**A)** In order for a claim limitation to invoke section 112-6, it must first meet the 3-prong analysis set forth under section 2181 of the MPEP. It is maintained that the “means” recitations of claim 10 fail to meet this 3-prong analysis; i.e., “means for...”, or an equivalent recitation thereof, has not been recited;

**B)** Additionally, it is the examiner’s current understanding that “means for ...” limitations only invoke section 112-6 when they occur within apparatus claims. To invoke section 112-6 within a claim that recites a method, “step for...” limitations must be used;

**C)** Given the above, as previously indicated in part “3)” of paragraph 2 of the Office action mailed 5/17/2011, the recitations of claim 10 have not construed as invoking section 112-6. As such, the “means” recited therein continue to be broadly construed as encompassing generic structure performing the steps associated therewith - and not as being limited to the corresponding disclosed structure (and equivalents thereof).

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**2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID E. HARVEY whose telephone number is (571) 272-7345. The examiner can normally be reached on M-F from 6:00AM to 3PM.**

**If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. William Vaughn, can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.**

**Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).**

**/DAVID E HARVEY/**

**Primary Examiner, Art Unit 2481**

**DAVID E HARVEY**

**Primary Examiner**

**Art Unit 2481**